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Practitioner's Docket No. 207-001

PATENT

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Commissioner for Patents and Trademarks

EV254792569US

P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER FOR PETITION TO REVIVE PATENT UNINTENTIONALLY
ABANDONED UNDER 37 CFR 1.137(b)**

Dear Sir/Madam:

The following documents are submitted in connection with this transmittal letter:

1. Petition to revive patent abandoned unintentionally under 37 CFR 1.137(b).
2. Response to Office Action.
3. A check in the amount of \$665.00, made payable to the Commissioner of Patents and Trademarks.
4. A copy of the Notice of Abandonment.

Respectfully submitted:

3rd September 2004

John G. Chupa, Esq.
Law Offices of John Chupa & Associates, P.C.
25835 Orchard Lake Rd., Suite 50
Farmington Hills, MI 48334

CERTIFICATE OF MAILING

EV 254792569 US
Express Mail Label Number

3rd September 2004
Date of Deposit

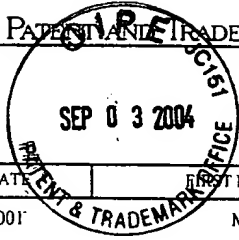
The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450.

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Alina Tolkachier



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,353	02/12/2001	Martin Daniels	207-001	7800

7590 05/30/2003
John G. Chupa
Chupa & Alberti, P.C.
Suite 205
31313 Northwestern Highway
Farmington Hills, MI 48334

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EXAMINER

ASHLEY, BOYER DOLINGER

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 05/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



Notice of Abandonment

Application No.

09/782,353

Examiner

Boyer D. Ashley

Applicant(s)

DANIELS, MARTIN

Art Unit

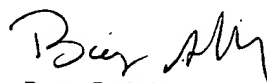
3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 27 November 2002.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below.

A telephone call to John G. Chupa office confirmed that the instant application is indeed abandoned.


Boyer D. Ashley
Primary Examiner
Art Unit: 3724

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.